Case 19-15140-JKS Doc 66 Filed 06/22/20 Entered 06/23/20 12:30:14 Desc Main

Document Page 1 of 3

Page 1

United States Bankruptcy Court District of New Jersey -- Newark

Order Filed on June 22, 2020 by Clerk

Caption in Compliance with D. N.J. LBR 9004 US(Bankruptcy Court Nicholas Fitzgerald, Esq. NF/6129 Fitzgerald & Associates, P.C.

District of New Jersey

649 Newark Avenue Jersey City, NJ 07306 Counsel for Debtor (201) 533-1100

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY --- NEWARK

In Re:

Hanish Bhojwani

Case No: 19-15140-JKS

CHAPTER 13 Hon. John K. Sherwood U.S.B.J.

Debtor

ORDER REIMPOSING THE AUTOMATIC STAY AS TO REAL PROPERTY LOCATED AT 1142 KENNEDY BLVD., BAYONNE, NJ 07002 AND PROVIDING FOR OTHER RELIEF

The relief set forth on the following pages, numbered two (2) through three (3) is hereby ORDERED.

DATED: June 22, 2020

Honorable John K. Sherwood United States Bankruptcy Court

Page 2

Debtor: Hanish Bhojwani Case No. 19-15140-JKS

Caption: ORDER REIMPOSING THE AUTOMATIC STAY AS TO REAL PROPERTY

LOCATED AT 1142 KENNEDY BLVD., BAYONNE, NJ 07002 AND

PROVIDING FOR OTHER RELIEF

THIS MATTER having been opened to the Court by Nicholas Fitzgerald, the debtor's counsel, upon the debtor's Motion for an Order reinstating the automatic stay; and good and sufficient cause appearing therefrom for the entry of this Order;

It is

ORDERED, that the automatic stay of the Bankruptcy Code contained in Section 362 (a) thereof is reinstated to prohibit the debtor's mortgagee, Select Portfolio Servicing, Inc. as servicing agent for CSMC 2018-RPL7 Trust, as represented by the law firm Milstead & Associates, LLC from taking action to foreclosure the mortgage it holds upon the land and premises commonly known as 1142 Kennedy Blvd., Bayonne, NJ 07002; and it is further

ORDERED, that the debtor's counsel, Nicholas Fitzgerald of the Fitzgerald & Associates, P.C. law firm, shall immediately remit the \$5,508.00 held in his attorney trust fund account by check payable to Select Portfolio Servicing, Inc. with said check to be sent to the mortgagee's counsel, Milstead & Associates, LLC, or to an alternative address specified by Milstead & Associates, LLC; and it is further

ORDERED, that if the debtor's post-petition mortgage arrears

Page 3

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and legal fees and costs owed by the debtor exceed the \$5,508.00 held in Fitzgerald & Associates, P.C.'s attorney trust account, the debtor shall cure the further post-petition mortgage arrears and legal fees and costs within fifteen (15) days of the debtor's being provided with the amount due by Milstead & Associates, LLC; and it is further

ORDERED, that if the debtor fails to timely make any payment detailed within this Order or if he fails to timely make future post-petition mortgage payments due, the secured creditor may obtain an Order Vacating the Automatic Stay as to the said property by submitting a Certification of Default to the Bankruptcy Court, specifying the Debtor's failure to pay, with a copy of any such application, supporting certificaitn and proposed Order to be served on the Chapter 13 Standing Trustee, the Debtor's counsel and the Debtor as required by the local bankruptcy rules.